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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Block, Robert et al.

Application No: 09/513,015

Filed: February 25, 2000

For: **METHOD AND APPARATUS FOR  
MAKING A COMPUTATIONAL SERVICE  
HIGHLY AVAILABLE**

) Attorney Docket No: SUNMP576

) Group Art Unit: 2142

) Examiner: Prieto, Beatriz

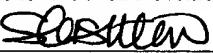
) Date: November 30, 2005

**TriPLICATE:**

(copy 2 of 3)  
 (copy 3 of 3)

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on November 30, 2005.

Signed: 

Sylvia Castillo

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS AND INTERFERENCES**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed August 31, 2005 finally rejecting Claims 1-5, 7, 8, and 17-28.

The item(s) checked below are appropriate:

Appeal Fee:  \$250.00 (Small Entity)  \$500.00 (Large Entity)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply:

Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

<u>Months</u>	<u>Large Entity</u>	<u>Small Entity</u>
<input type="checkbox"/> one	\$120.00	\$ 60.00
<input type="checkbox"/> two	\$450.00	\$225.00
<input type="checkbox"/> three	\$1,020.00	\$510.00

If an additional extension of time is required, please consider this a petition therefor.

An extension for \_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**Total Fee Due**

Notice of Appeal Fee \$ 500.00

### Extension Fee (if any) \$

Total Fee Due \$ 500.00

Enclosed is Check No. 15365 in the amount of \$500.00.

Charge any additional fees or credit any overpayment to Deposit Account No. 50-0805, (Order No. SUNMP576). Two additional copies of this Notice are enclosed.

Respectfully submitted,  
MARTINE PENILLA & GENCARELLA, LLP

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